

II. Remarks

By this paper, Applicant is amending claims 1 and 19. Therefore, after entering this amendment, claims 1, 3-6, 9, 19, 22, 29, and 30 are currently pending.

Reconsideration and further examination of this application in view of the above amendments and the following remarks is therefore respectfully requested.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claims 1, 3-6, 19 and 29 under 35 U.S.C. § 102(b) as being anticipated by *Alvarez de Toledo* (U.S. Pat. No. 5,111,829).

Claim 1 has been amended to recite that the guidewire includes a distal end portion having a substantially constant second diameter along a distance of at least four wound wire coils, wherein the second diameter is less than the first diameter. *Alvarez de Toledo* fails to disclose a body portion having a first diameter, a distal end portion having a substantially constant second diameter, along a distance of at least four wound wire coils, that is less than the first diameter, and a taper portion between the first and second diameters, as recited in claim 1. For example, *Alvarez de Toledo* discloses a wire coil 19 having a first diameter, but fails to disclose a substantially constant second diameter along a distance of at least four wound wire coils and a tapered portion between the first and second diameter portions. Therefore, claim 1 is not anticipated by *Alvarez de Toledo*.

Additionally, *Alvarez de Toledo* fails to disclose a multiple filament group of individual wire coils wound adjacent to one another, as recited in claim 1. The Examiner states that this element of claim 1 is disclosed by *Alvarez de Toledo* in column 4, lines 32-35, “[p]latinum coil 19 of distal tip region 20 is a single or multifilar coil of flat or round wire” However, *Alvarez de Toledo* discloses that each individual coil is made of a plurality of wires cooperating to define a single, multifilar wire. Conversely, claim 1 recites a multiple filament group of individual wire coils wound adjacent to one another. Therefore, for this separate and distinct reason, claim 1 is not anticipated by *Alvarez de Toledo*.

Claims 2-9 and 29 each depend from claim 1. Therefore, claims 1-9 and 29 are allowable for at least the reasons discussed above.

Claim 19 has been amended to recite that the guidewire includes a distal end portion having a substantially constant second diameter along a distance of at least four individual wire coils, wherein the second diameter is less than the first diameter. *Alvarez de Toledo* fails to disclose a body portion having a first diameter, a distal end portion having a substantially constant second diameter, along a distance of at least four individual wire coils, that is less than the first diameter, and a taper portion between the first and second diameters, as recited in claim 19. For example, *Alvarez de Toledo* discloses a wire coil 19 having a first diameter, but fails to disclose a substantially constant second diameter along a distance of at least four individual wire coils and a tapered portion between the first and second diameter portions. Therefore, claim 19 is not anticipated by *Alvarez de Toledo*.

Additionally, *Alvarez de Toledo* fails to disclose a multiple filament group of individual wire coils wound adjacent to one another, as recited in claim 19. The Examiner states that this element of claim 19 is disclosed by *Alvarez de Toledo* in column 4, lines 32-35, “[p]latinum coil 19 of distal tip region 20 is a single or multifilar coil of flat or round wire” However, *Alvarez de Toledo* discloses that each individual coil is made of a plurality of wires cooperating to define a single, multifilar wire. Conversely, claim 19 recites a multiple filament group of individual wire coils wound adjacent to one another. Therefore, for this separate and distinct reason, claim 19 is not anticipated by *Alvarez de Toledo*.

Claims 22 and 30 each depend from claim 19. Therefore, claims 19, 22, and 30 are allowable for at least the reasons discussed above.

The Examiner rejected claims 1, 3-6, 19 and 29 under 35 U.S.C. § 102(b) as being anticipated by *Miyata et al* (U.S. Pat. No. 5,910,364).

Claim 1 has been amended to recite that the guidewire includes a distal end portion having a substantially constant second diameter along a distance of at least four wound wire coils, wherein the second diameter is less than the first diameter. *Miyata*

fails to disclose a body portion having a first diameter, a distal end portion having a substantially constant second diameter, along a distance of at least four wound wire coils, that is less than the first diameter, and a taper portion between the first and second diameters, as recited in claim 1. For example, *Miyata et al* discloses a wire coil 2 having a first diameter and a tapered portion 24, but fails to disclose a substantially constant second diameter along a distance of at least four wound wire coils and a tapered portion between the first and second diameter portions. Therefore, claim 1 is not anticipated by *Miyata et al*.

Claims 2-9 and 29 each depend from claim 1. Therefore, claims 1-9 and 29 are allowable for at least the reasons discussed above.

Claim 19 has been amended to recite that the guidewire includes a distal end portion having a substantially constant second diameter along a distance of at least four individual wire coils, wherein the second diameter is less than the first diameter. *Miyata et al* fails to disclose a body portion having a first diameter, a distal end portion having a substantially constant second diameter, along a distance of at least four individual wire coils, that is less than the first diameter, and a taper portion between the first and second diameters, as recited in claim 19. For example, *Miyata et al* discloses a wire coil 2 having a first diameter and a tapered portion 24, but fails to disclose a substantially constant second diameter along a distance of at least four wound wire coils and a tapered portion between the first and second diameter portions. Therefore, claim 19 is not anticipated by *Miyata et al*.

Claims 22 and 30 each depend from claim 19. Therefore, claims 19, 22, and 30 are allowable for at least the reasons discussed above.

The Examiner rejected claims 1, 3-6, 9, 19, 20, 22, 29, and 30 under 35 U.S.C. § 102(b) as being anticipated by *Tezuka* (U.S. Pat. No. 6,251,085).

Claim 1 recites a body portion having a first diameter and comprising a multiple filament group of individual wire coils wound adjacent to one another. *Tezuka* fails to disclose a body portion having a multiple filament group of individual wire coils wound adjacent to one another, as recited in claim 1. For example, *Tezuka* discloses an inner

core 12 made of three wires stranded, or twisted, together. (*Tezuka*, col. 6, lines 46-51). Additionally, *Tezuka* distinguishes between coiled wires and stranded, or twisted, wires by stating, “inner core 12 is formed of a strand without a core member, the transmission ability, which is required during operation, when the guidewire 11 is twisted is more excellent than in the case in which the coiled wire is used for the inner core.” (*Tezuka*, col. 7, lines 1-6). Therefore, claim 1 is not anticipated by *Tezuka*.

Additionally, as discussed above, claim 1 has been amended to recite that the guidewire includes a distal end portion having a substantially constant second diameter that is less than the first diameter. *Tezuka* fails to disclose a body portion having a first diameter, a distal end portion having a substantially constant second diameter less than the first diameter, and a taper portion between the first and second diameters, as recited in claim 1. For example, *Tezuka* discloses a twisted inner core 12 having an ever-decreasing outer diameter, but fails to disclose a substantially constant second diameter and a tapered portion between the first and second diameter portions. (*Tezuka*, col. 4, lines 54-58). Therefore, for this separate and distinct reason, claim 1 is not anticipated by *Tezuka*.

Claims 2-9 and 29 each depend from claim 1. Therefore, claims 1-9 and 29 are allowable for at least the reasons discussed above.

Claim 19 recites a body portion having a first diameter and comprising a multiple filament group of individual wire coils wound adjacent to one another. *Tezuka* fails to disclose a body portion having a multiple filament group of individual wire coils wound adjacent to one another, as recited in claim 19. For example, *Tezuka* discloses an inner core 12 made of three wires stranded, or twisted, together. (*Tezuka*, col. 6, lines 46-51). Additionally, *Tezuka* distinguishes between coiled wires and stranded, or twisted, wires by stating, “inner core 12 is formed of a strand without a core member, the transmission ability, which is required during operation, when the guidewire 11 is twisted is more excellent than in the case in which the coiled wire is used for the inner core.” (*Tezuka*, col. 7, lines 1-6). Therefore, claim 19 is not anticipated by *Tezuka*.

Additionally, as discussed above, claim 19 has been amended to recite that the guidewire includes a distal end portion having a substantially constant second diameter

that is less than the first diameter. *Tezuka* fails to disclose a body portion having a first diameter, a distal end portion having a substantially constant second diameter less than the first diameter, and a taper portion between the first and second diameters, as recited in claim 19. For example, *Tezuka* discloses a twisted inner core 12 having an ever-decreasing outer diameter, but fails to disclose a substantially constant second diameter and a tapered portion between the first and second diameter portions. (*Tezuka*, col. 4, lines 54-58). Therefore, for this separate and distinct reason, claim 19 is not anticipated by *Tezuka*.

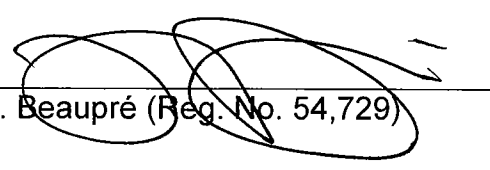
Claims 19, 22, and 30 each depend from claim 19. Therefore, claims 19-22 are allowable for at least the reasons discussed above.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. The Examiner is invited to contact the undersigned attorney for the Applicant via telephone number (312) 245-5390, if such communication would expedite this application.

Respectfully submitted,

February 3, 2009



Jon H. Beaupré (Reg. No. 54,729)